

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :
: CRIMINAL ACTION NO. 19-64-1
v. :
: JOHN DOUGHERTY :

ORDER

AND NOW, this 18th day of January, 2024, having held a telephonic status conference with the Government and counsel for Defendant John Dougherty concerning the Government's Motion for Order Confirming that Defendant Dougherty Has Waived Attorney-Client Privilege with Respect to His Pending Conflict-of-Interest Claims (ECF No. 656), it is hereby **ORDERED** as follows:

1. The Court finds that Mr. Dougherty has waived any attorney-client privilege with his former attorneys at Ballard Spahr LLP, including Henry E. Hockemer, Jr., Terence M. Grugan, David L. Axelrod, and Emilia L. McKee Vassallo, with respect to his claims that counsel suffered from actual or potential conflicts of interests that caused them to forego plausible alternative defense strategies, as set forth by Mr. Dougherty in the relevant filings (*see* ECF Nos. 429, 521). The Court therefore directs these attorneys not to assert attorney-client privilege in any communication with the Court or the Government concerning matters relevant to the conflict-of-interest claims raised in the aforementioned filings of Mr. Dougherty.

2. The evidentiary hearing scheduled for January 24, 2024, is **CONTINUED** to March 20, 2024, at 10:00 a.m. in the courtroom of the undersigned at The Gateway Building, 201 Penn Street, 5th Floor, Reading, Pennsylvania 19601.

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.